

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M245926
E/rr

JEFFREY A. COHEN, J.P.
JOSEPH J. MALTESE
HECTOR D. LASALLE
ANGELA G. IANNACCI, JJ.

2016-00723

DECISION & ORDER ON MOTION

Sol Leiner, appellant, v Estate of
Noel Hauser, respondent.

(Index No. 2349/15)

Motion by the appellant on an appeal from an order of the Supreme Court, Kings County, dated October 26, 2015, inter alia, in effect, to extend the time to comply with a decision and order on motion of this Court dated October 16, 2017. Separate motion by the respondent, inter alia, to dismiss the appeal for failure to comply with the decision and order on motion of this Court dated October 16, 2017, and for an award of costs and to impose a sanction upon the appellant.


Upon the papers filed in support of the appellant's motion and no papers having been filed in opposition or in relation thereto, and upon the papers filed in support of the respondent's motion and the papers filed in opposition thereto, it is

ORDERED that the appellant's motion is denied; and it is further,

ORDERED that the branch of the respondent's motion which is to dismiss the appeal is granted and the appeal is dismissed, without costs or disbursements; and it is further,

ORDERED that the respondent's motion is otherwise denied.

COHEN, J.P., MALTESE, LASALLE and IANNACCI, JJ., concur.

ENTER: 
Aprilanne Agostino
Clerk of the Court

February 22, 2018

LEINER v ESTATE OF HAUSER